

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 Dejon Simpson,

11 Plaintiff,

12 v.

13 Score Jail,

14 Defendant.

CASE NO. C14-1924-JCC-MAT

ORDER ADOPTING R&R

15 This matter comes before the Court on the Report and Recommendation (R&R) of Chief  
16 Magistrate Judge Mary A. Theiler (Dkt. No. 3) addressing Plaintiff's Application to Proceed *in*  
17 *Forma Pauperis* (Dkt. No. 1). Having thoroughly considered the parties' briefing and the  
18 relevant record, the Court finds oral argument unnecessary and hereby **ADOPTS** the R&R and  
19 Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** for the reasons explained herein.

20 **I. BACKGROUND**

21 Dejon Simpson ("Simpson") filed an Application to Proceed *in Forma Pauperis*  
22 ("Application") with this Court on December 12, 2014. Dkt. No. 1. The Clerk of the Court sent  
23 a letter to Simpson notifying him that his Application was deficient for failure to submit a  
24 certified copy of his prison trust account statement. Dkt. No. 2. The Clerk's letter also notified  
25 Simpson that his case may be subject to dismissal if he did not cure the defect by January 20,  
26 2015. *Id.* Simpson has not communicated further with the Court since filing his Application.

1 **II. DISCUSSION**

2 Simpson has been granted substantial time to correct the deficiency in his Application,  
3 and has failed to cure the defect. The R&R prepared by Judge Theiler recommends that  
4 Simpson's action be dismissed without prejudice for failure to prosecute. In light of his failure  
5 to cure the deficiency, the Court **ADOPTS** the R&R and Simpson's action is **DISMISSED**  
6 **WITHOUT PREJUDICE.**

7 **III. CONCLUSION**

8 For the foregoing reasons, the Court **ADOPTS** the R&R (Dkt. No. 3). Plaintiff's action  
9 (Dkt No. 1) is **DISMISSED WITHOUT PREJUDICE.**

10 DATED this 12th day of March 2015.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE